

**UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA**

* * *

UNITED STATES OF AMERICA,
Plaintiff,
v.
LESLIE DANIEL LONG,
Defendant.

Case No. 2:13-cr-291-APG-CWH-2

ORDER GRANTING WITHDRAWAL OF COUNSEL AND DENYING SENTENCE REDUCTION

(Dkt. #87)

On October 8, 2015, I appointed Nisha Brooks-Whittington as counsel for defendant Leslie Daniel Long to assist him in applying for a reduction of his sentence under 18 U.S.C. § 3582(c)(2). (Dkt. #84.) On October 2, 2014, I sentenced Mr. Long to 75 months of incarceration. Subsequently, the United States Sentencing Commission adopted a two-level reduction in the Sentencing Guidelines' drug offense levels. Mr. Long seeks a reduction of his sentence consistent with that Guideline reduction. Ms. Brooks-Whittington has filed a motion to withdraw as counsel because she will not file a motion or application for a sentence reduction on behalf of Mr. Long.

Mr. Long's 75-month sentence took into account the anticipated two-level downward reduction in the Sentencing Guideline range applicable to Mr. Long's crime. Because he received the benefit of Amendment 782 ahead of time, he is not entitled to another reduction. I also have considered the arguments and documents that Mr. Long has submitted in his *pro se* filings, as well as the letters from his children. (Dkt. ##82, 83, 86.) It is very encouraging that Mr. Long is working hard to obtain his GED, participating in the R-DAP program, and setting himself up for a job upon his release from incarceration. Nevertheless, Mr. Long does not qualify for a sentence reduction.

1 IT IS THEREFORE ORDERED that Mr. Long does not qualify for a reduction of his
2 sentence.

3 IT IS FURTHER ORDERED that the motion to withdraw as counsel filed by Nisha
4 Brooks-Whittington (**Dkt. #87**) is supported by good cause and is hereby GRANTED.

5 Dated: January 26, 2016.

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7 ANDREW P. GORDON
8 UNITED STATES DISTRICT JUDGE
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